

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

311: 20 Questions

- 1) Provide the time and date of oil or hazardous substance discharge, and the time and date of discovery that the discharge was reaching or threatening a waterway.**

At approximately 12:46 CDT on March 15, 2022, the reporting party discovered fuel bubbling out of the ground and discharging into Valley Creek

- 2) The time and date of the response to the discharge by EPA, START, and the PRP if applicable. Provide the name(s) of any contractor(s) employed.**

Upon discovering the discharge, Sunoco deployed sorbent boom and mobilized an oil spill response contractor to deploy containment boom in Valley Creek and a vacuum truck to remove the discharged oil. The EPA Federal On-Scene Coordinator arrived at approximately 1830hrs CDT. Kinder Morgan mobilized excavation equipment and an oil spill response contractor which arrived at approximately 2000hrs and 2200hrs, respectively. EPA's START contractor, Tetra Tech, arrived at 2000hrs.

At approximately 2100hrs, fuel was found on the driveway of the Chevron terminal and accumulating at the intersection. This fuel did not appear to be the same source as the original report; Chevron responded by mobilizing an oil spill response contractor and reported the incident separately as NRC # 1331148. This discharge resulted from a failed sump pump designed to move stormwater to an oil-water separator. The FOSC remained on-scene to ensure that response measures were adequate.

- 3) The type of discharge (oil or hazardous substances), the type of oil or the chemical name and formula, the total amount of discharge in gallons, barrels, pounds, or kilograms; and the total number of days of discharge. If the solution discharged was a mixture, please give the percentages of substances in the mixture or solution.**

The discharge consisted of a dark weathered oil entrained in soil near the intersection of the road and emitting as what initially appeared to be a seep. Samples of the oil and potential sources were collected and sent to the USCG Marine Safety Laboratory (MSL). Results from the MSL concluded that: 1) all samples of the spilled oil at the intersection were similar to one-another and contained slightly weathered light fuel oil and a lubricating oil present; 2) none of the samples from Sunoco, Citgo, or Chevron's monitoring wells is related to the spilled oil; 3) the Chevron sump sample has a common source of the light fuel in

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

the spill sample, but 4) the lubricating oil in the spilled samples is not a common source with the Chevron sump. From these data, the source of the lubricating oil at the corner of the intersection remains undetermined.

4) The location of the discharge including street address, city, county, and state.

The intersection of 28th St SW and Balsam Ave SW in Birmingham, Jefferson County, Alabama

5) The description of the facility or vessel from which the material was discharged (i.e. pipeline, tank, well, ship, container, etc.).

Oil appeared to be seeping from the ground adjacent to the road near multiple fuel storage and processing facilities. The area is perpetually wet with shallow groundwater and frequent flooding conditions.

6) The total storage capacity (gallons, barrels, pounds, kilograms, etc.) of the facility or vessel responsible for the discharge.

The facility or vessel responsible for the discharge remains unknown.

7) Did the oil or hazardous substances discharge into water?

Yes; discharged oil entered Valley Creek.

a. Please indicate the location, in relation to the facility or vessel responsible for the discharge, of the first water reached.

The oil was discharging into an unnamed tributary of Valley Creek. From the intersection, the oil traveled 80 feet through floodwater to the tributary, then 0.8 miles north to Valley Creek.

b. If not already in water, what is the distance between the source of discharge and the nearest water body?

The discharge did reach surface water.

c. Give the quantity of oil or hazardous substances reaching the water.

Volume of oil in the water is unknown and is estimated at more than 1 gallon but less than 100 gallons.

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

d. Give the quantity of oil or hazardous substances that did not reach the water.

Volume of oil that did not reach water is unknown and is estimated at more than 1 gallon but less than 100 gallons.

e. Describe the type of waterway affected (i.e. mudflat, sandflat, wetland, ditch, creek, bayou, tributary, stream, river, lake, etc.). Give the name of the waterway and bodies of water to which it connects.

Valley Creek is a tributary of Bankhead Lake (Black Warrior River) in Central Alabama and travels through multiple residential communities. The unnamed tributary that flows into Valley Creek is approximately 5 to 10 feet wide, 1 foot deep, and flows through residential communities.

f. Provide a physical description of the receiving waters, including depth, width, and flow rate.

Valley Creek is approximately 70 feet wide. The nearest National Weather Service river gauge on Valley Creek is approximately 4.5 miles upstream and indicates the depth is normally 2 feet but reaches flood stage at 11 feet which was the conditions experienced during the discharge event.

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

- g. Indicate if any of the water bodies or connecting water bodies, as described above, are used for commerce, recreation, agriculture, etc.**

Valley Creek is used for recreation.

- h. List any sensitive environments (i.e. wetlands), endangered species, water wells and/or drinking water intakes impacted or potentially impacted by the discharge.**

There were no drinking water intakes downstream of the discharge

8) Document how this spill violated the Clean Water Act.

Under the Clean Water Act, 33 U.S.C. §1251, it is unlawful to discharge any pollutant from a point source into navigable waters [or waters that feed into navigable waters], unless a permit was obtained.

9) Describe in detail what actually caused the discharge.

The cause of the discharge remains unknown. A seep of was suspected from a pipeline or historic spill from infrastructure in the area, but investigation, sampling, and experimental excavation found no source nearby which was causing or related to the spilled material.

10) Describe the damage to public health and the environment as a result of the spill. How many feet, miles, etc., of land and water were affected by the discharge? Was there observed damage to the terrestrial and aquatic biota and vegetation? Were any drinking water intakes forced to close? Were any persons required to evacuate? If yes, describe the damage.

Oiled vegetation was observed in the unnamed tributary and roadside within 150 feet of the intersection. The START contractor for EPA measured a benzene concentration of 9 ppm in the air Wiggins Park on the night of 3/15/2022 and Jefferson County Emergency Management closed the park until midday on 3/16/2022 when the benzene concentration returned to zero.

11) Describe the procedures taken to clean up the discharge and to mitigate the environmental damage and public health threats. Include dates and times for the individual procedures.

On 3/15/2022, Sunoco and Kinder Morgan both mobilized response contractors to deploy sorbent materials and containment boom in the tributary. Sunoco's

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

contractor removed some oil from the intersection with a vacuum truck. Kinder Morgan's contractor excavated several trenches adjacent to their transmission lines which are 10" and 12" in diameter, 5 feet deep, and travel in a North-Eastern direction within 60 feet of the seep. The trenches accumulated water due to shallow water table conditions but no sheen or fuel was found, and the transmission lines were not identified as a source. At approximately 2100hrs on 3/15/2022, fuel was found on the driveway of the Chevron terminal and accumulating at the intersection. This fuel did not appear to be the same source as the seep; Chevron responded and reported the incident separately as NRC # 1331148. Chevron's contractor also mobilized a vacuum truck and removed fuel from the intersection and removed and replaced sorbent padding. Sunoco and Chevron coordinated disposal of the sorbent materials.

On the morning of 3/16/2022, the rate of oil seeping from the bank at the southwest corner of the intersection was observed to have slowed and was contained by the sorbent boom. One of the responding contractors hand-excavated soil from the bank to remove impacted soil, and oil seepage continued at a slow but visible pace. EPA and START collected samples from the spill area and potential sources on 3/16/2022 and 3/17/2022. These samples were sent to the U.S. Coast Guard Marine Safety Laboratory (MSL) for fingerprinting analysis. Samples were also sent to an analytical laboratory for sulfur content analysis.

EPA, ADEM and the City of Birmingham met with representatives from the four facilities (Sunoco, Chevron, Citgo and Kinder Morgan [aka Products (SE)]). The facilities agreed to work as a co-op to maintain boom around the seep area and conduct daily observations and reporting. Over the next week, each facility will be receiving or moving product through its pipeline in the area resulting in a pressure change that, if leaking, could influence the flow rate or consistency of the seep. As a result, an ICS 202 (Objectives), ICS 205A (Communications List), and ICS 230 (Schedule) were prepared and agreed upon by all parties on 3/17/2022.

On 3/18/2022, Sunoco reported that containment was lost due to heavy rains and flooding over the previous night. Containment was reestablished by 1130hrs on 3/18/2022 at the southeast corner of the intersection. On 3/19/2022 and 3/20/2022, Sunoco replaced booms and spill pads at the intersection, and by 3/20/2022, floodwater had receded so that booms in the creek could be removed. The oil at the intersection was reported to have slowed.

On 3/23/2022, ADEM visited the Site after another significant rain overnight 3/22/2022. ADEM reported that there was no longer oil seeping at the southeast corner of the intersection and no evidence of a release. On 3/24/2022, a

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

representative from Citgo sent a photograph and reported that there was no standing water or oil at the southeast corner of the intersection and that the seep had stopped.

On 3/25/2022, the OSC held a conference call with the responding facilities as well as ADEM, the City of Birmingham, and Jefferson County to discuss further response measures. The OSC concurred that further spill mitigation efforts were not needed while oil was not seeping into the environment, but further investigation and response efforts may be needed following results from the USCG Marine Safety Laboratory.

On 3/31/2022, the OSC visited the Site, which coincided with the City of Birmingham maintenance operations. The OSC confirmed that no oil was seeping from the southeast corner of the intersection. The OSC observed a storm drain pipe from the southeast corner of the intersection to the creek on the south side of Balsam Ave, which began leaking oil when the sediment was removed by the city. Initial observations recorded droplets with a heavy sheen but were later found to be more significant accumulations of oil consistent with the seep found two weeks prior. Sunoco provided sorbent boom and pads, which were installed in and around the outlet of the pipe. The OSC directed START to collect samples and then contacted the facilities and stated that further maintenance of boom and sorbent pads would be required until the oil subsides. An updated ICS 202 was requested to cover a period of 10 days; an updated ICS 202 and ICS 230 were provided by the end of the day on 3/31/2022. Sunoco and Chevron responded to inspect, replace, maintain, and dispose of the sorbent material.

On the morning of 4/15/2022, ADEM visited the Site and reported that there was no active sheen in any areas of interest, and the culvert under Balsam Ave was operating optimally. The OSC concurred that no further response measures are necessary.

12) List the federal and state agencies contacted by the owner or operator at the time of the discharge. Also include the agency's location (mailing address, city, county and state), the date and time of notification, and the name of the official contacted.

The discharge was initially reported to the National Response Center (800-424-8802) by Sunoco, NRC # 1331116

EPA responder: Matthew Huyser (email: huyser.matthew@epa.gov, phone: 404-562-8934, location: 61 Forsyth St SW, Atlanta, Georgia)

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

ADEM responder: Robert Carrington (email: rcarrington@adem.alabama.gov, phone: 205-917-2467, location: 110 Vulcan Road, Birmingham, AL 35209-4702)

City of Birmingham: Troy Perry Jr. (email: troy.perry@birminghamal.gov, phone: 205-254-2499, location: City Hall, 2nd Floor, 710 North 20th Street, Birmingham, AL, 35203)

13) State whether an SPCC inspection was conducted and describe any findings.

No SPCC or FRP inspection conducted. The source of the discharge was not determined.

14) Document the spill history of the facility and list the discharges which have occurred at this facility within the past five years using the following table.

DATE	AMT DISCHARGED	AMT IN WATER	SOURCE & CAUSE
------	----------------	--------------	----------------

This information is unavailable. The source of the discharge was not determined.

15) Provide the name, title, home address, and home/work telephone number(s) of the owner(s) of the vessel or facility responsible for the discharge.

The source of the discharge was not determined. Notices of Federal Interest were issued to Sunoco, Chevron, Citgo, and Kinder Morgan [Products (SE)]

Points of contact for each are listed below:

- Sunoco: Heather L. Sisson; Sr. Specialist – HES; phone: 205-278-6179; email: heather.sisson@sunoco.com; address: 2700 Ishkooda-Wenonah Rd SW, Birmingham, AL, 35211
- Chevron USA: Jared Handley; email: jhandley@chevron.com; address: 2400 28th Street SW, Birmingham, AL, 35211
- Citgo: Ryan Browne; Assistant Terminal Manager; phone: 205-925-6641; email: rbrow10@citgo.com; address: 2200 25th Street SW, Birmingham, AL, 35211
- Kinder Morgan products (SE) Pipe Line Corp: Steve Polk; Operations Manager; phone: 601-698-3921; email: steve_polk@kindermorgan.com; address: P.O. Box 1297, 356 Hwy 588, Collins, MS, 39428

16) Provide the name, title, home address, and home/work telephone number(s) of the operator(s) of the vessel or facility responsible for the discharge if different from the owner, and the relationship between the owner and operator (i.e. employee, contractor, subcontractor, lessee, etc.)

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson
County, Alabama

USCG District: 8

OSC: Matthew Huyser

The source of the discharge was not determined. Notices of Federal Interest were issued to Sunoco, Chevron, Citgo, and Kinder Morgan [Products (SE)]

Points of contact for each are listed in the answer to question 15 above.

17) Provide the names, titles, home addresses, and home/work telephone numbers of the persons who have knowledge of the facts concerning the spill as an attachment to the report labeled "Table of Witnesses". Include EPA, State, and local officials, START/Strike Team members, other Federal agencies, the company, and the cleanup contractor in the table.

See table at end of this document

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

18) Does the owner or operator have a National Pollutant Discharge Elimination System (NPDES) permit or any other discharge permit provided by the local, state, or federal government? If yes, name and describe the permit.

The source of the discharge was not determined. Permit information from the fixed facilities was not sought.

19) Has the facility ever been assessed a fine for this incident or any other discharge by any other government entity (i.e. city, county, state, federal)? If yes, name the agency or agencies that have assessed a fine(s) on the facility or vessel, and the date(s) when the fine(s) was assessed.

The source of the discharge was not determined.

There are several facilities and pipelines in the area, some with historical groundwater contamination. For example, Sunoco was reported to have a leaking pipeline in 2016 which resulted in remediation and replacement of two old lines with a single line that travels between the Sunoco trans mix reclamation plant at 2511 28th St SW to a Sunoco Terminal at 2700 Ishkooda-Wenonah Rd SW; this project was completed in 2017, and the groundwater wells associated with the project have been closed.

During the excavation of the Sunoco line in 2016-2017, an older transmission line to the Citgo terminal was discovered that was reportedly cleaned and closed after discovery. Citgo also has had groundwater contamination on its facility and has several monitoring wells which are being sampled with passive sorbent samplers.

Chevron was reported by ADEM to have a release in 2016, and there are groundwater wells at the facility that were sampled during this event. Chevron also had a release on 3/15/2022 at the same time as the response to the discharge, but this did not appear to be the same source as the discharge.

20) Include the Federal Project Number on the title (cover) sheet of the incident summary report.

The Federal Project Number for this Site is UCGPE22406

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson County, Alabama

USCG District: 8

OSC: Matthew Huyser

Name	Title	Address	Office Number	Cell Number
Matthew Huyser, EPA	Federal OSC	61 Forsyth St SW Atlanta, GA, 30303	404-562-8934	678-427-8829
Robert Carrington, ADEM		110 Vulcan Road, Birmingham, AL 35209-4702	205-917-2467	
Troy Perry Jr., City of Birmingham	Storm water Specialist	City Hall, 2 nd Floor, 710 North 20 th Street, Birmingham, AL, 35203	205-254-2499	
Heather L. Sisson, Sunoco	Sr. Specialist – HES	2700 Ishkooda-Wenonah Rd SW, Birmingham, AL, 35211	205-278-6179	
Jared Handley; Chevron USA		2400 28 th Street SW, Birmingham, AL, 35211	jhandley@chevron.com	
Ryan Browne, Citgo	Assistant Terminal Manager	2200 25 th Street SW, Birmingham, AL, 35211	205-925-6641	
Steve Polk; Kinder Morgan products (SE) Pipe Line Corp	Operations Manager	P.O. Box 1297, 356 Hwy 588, Collins, MS, 39428	601-698-3921	
Donovan Godbee, Tetra Tech	EPA START contract	1955 Evergreen Blvd., Bldg 200, Suite	donovan.godbee@tetrattech.com	

FPN: UCGPE22406

Incident Name: 28th Street SW Pipeline Spill

Location: Intersection of 28th St SW and Balsam Ave SW, Birmingham, Jefferson
County, Alabama

USCG District: 8

OSC: Matthew Huyser

		300, Duluth, GA, 30096		
Josiah Williams, Tetra Tech	EPA START contract	1955 Evergreen Blvd., Bldg 200, Suite 300, Duluth, GA, 30096	678-775-3118	